

ROBERT DRAKE EWBANK
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Pro Se as Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON – EUGENE DIVISION

ROBERT DRAKE EWBANK,

Plaintiff,

v.

JEFF W. EMRICK, et al,

Defendants.

CASE NO 6:17-cv-00187-MK

REQUEST TO THE COURT NOT
FOUND IN THE ECF SYSTEM:

STAY PENDING PLAINTIFF'S
RETENTION OF COUNSEL

The Plaintiff has an appointment at 10:30 tomorrow morning August 2nd with prospective counsel, and can complete a retainer agreement through resources made available as of Friday July 28, 2023. The Plaintiff requests the stay of the Court as to ruling on the timeliness and adequacy of his Response, especially if it ends up that a responsible and skilled attorney can make an appearance, and address the issues here before the Court instead of the Plaintiff as the Plaintiff is noticeably struggling.

The Plaintiff is in poor health, and may not ultimately have capacity to do the work to complete this case himself without proving such, as well, the continued work and pace required when he has been incapacitated all week and has otherwise has lost about 10 pounds of body weight is causing a critical health concern.

The pursuit of this matter in this fashion without a different framework for completion, despite the generosity of the Court, may, in fact pose an irreversible dire threat to his physical and mental health due to stress, lack of sleep, and physical attrition. This is evident in his present timely filings ECF 176, its organization, and the continuing crashing of his workstation and other processes trying to attach referenced documents and exhibits.

The fact that the Plaintiff has been categorically and consistently throughout this case been unable to organize a case at law in such a way to comply with standards of length and formatting, succinct statement of facts without resort to descriptive narratives, and as well as is currently failing at numbering and notating numerous exhibits in his response.

The Plaintiff has been, since the Appeal and Remand of this case, consistent in his maintaining that he needed the efficiencies and knowledge of Counsel in contrition to the Courts determination that he could represent himself pro se, and only now has the resources to potentially remedies the defects in his practice before this tribunal.

Regrettably he asks for the leave of the Court to have minimal time to obtain assistance that he disappointingly cannot get from his own efforts given his health and the schedules involved.

Respectfully,

/s/ Robert Drake Ewbank

ROBERT DRAKE EWBANK August 1, 2023

Declaration / Certificate of Service

The Plaintiff, Robert Drake Ewbank hereby declares, under penalty of perjury, that on August 1, 2023 by extension of the time consuming ECF filing process for his response, that he served a true and correct copy of the above “Supplemental Declaration Attaching Deposition” by transmitting a true and correct copy to their counsel via the ECF system and directly by sending those items to:

Oregon Department of Justice
Counsel of Record for the Defendants
Attn: Assistant Attorney General Nicholas Mancuso
1162 Court St
Salem OR 97301

separately via the address listed in the EFS system and by access of the electronic filing system (EFS) of the Federal District Court of the USA.

/s/ Robert Drake Ewbank

Robert Drake Ewbank
Plaintiff Pro Se